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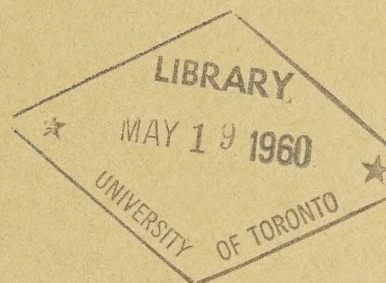
Canada, Agriculture, Dept. of
Marketing Service, Economics
Division



GOVT PUBNS

PROVINCIAL AGRICULTURAL LEGISLATION

[pt 1]



in Quebec and Ontario

1958-1959 supplement


CANADA DEPARTMENT OF AGRICULTURE
ECONOMICS DIVISION
OTTAWA, JANUARY 1960

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PREFACE

This publication is the third supplement to "Provincial Agricultural Legislation in Quebec and Ontario, 1955". It brings up to date the summaries of agricultural statutes included in that bulletin and subsequent supplements by outlining the nature of amendments and new legislation as passed in Quebec during the third session of the 25th Legislature which sat from November 19, 1958 to March 5, 1959 and as passed in Ontario during the fifth session of the 25th Legislature which sat from January 27 to March 26, 1959. The summaries provided in these publications have no legal standing and should be used for reference purposes only.

The page numbers in this publication run consecutively with those in the previous issues and the index starting on page 87 contains references to legislation in all issues.



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1. ADMINISTRATION

O N T A R I O

DEPARTMENT OF AGRICULTURE ACT, amendment, S.O. 1959, ch. 25.

See also 1955 bulletin p.4.

Upon the recommendation of the Minister, the Lieutenant Governor in Council may establish programs for the encouragement of any branch of agriculture. A program may determine the conditions under which services are provided by the Department and expenses allowed or grants payable and may require that fees be paid by agricultural personnel to whom the program applies and may fix the amount of such fees.

2. PRODUCTION

(a) General

O N T A R I O

THE LIGHTNING RODS ACT, amendment, S.O. 1959, ch. 52.

See also 1955 bulletin p.7.

Where the Fire Marshall refuses to issue a license or suspends or revokes a license under this Act, he shall send notice of such action to the applicant or licensee. An appeal of this action may be made within ten days and the judge of the county shall rule as he deems proper after a hearing.

(c) Livestock

O N T A R I O

DOG-TAX AND THE CATTLE, SHEEP AND POULTRY PROTECTION ACT, amendment, S.O. 1959. ch.30.

See also 1955 bulletin p.12; 1957 supplement p.52.

A section is added concerning the regulations applicable to dogs running at large in unorganized territory and the penalty to the owners of such dogs. Some changes in wording are made. A section has been added to allow the valuer to place partial or whole liability for the damage to livestock on the livestock owner whereupon the municipal council may deny compensation to the owner. The maximum amount of damage that can be awarded is \$250 per head of cattle, \$100 per head of sheep and \$1,000 for poultry in any one year.

LIVESTOCK COMMUNITY SALES ACT, S.O. 1959, ch. 53.

This Act concerns the operation of community livestock sales other than those operated by the Ontario Stock Yards Board and those under the agency of the Farm Products Marketing Act. It provides for the licensing of such sales, the appointment of veterinarians to examine the livestock and sets forth the requirements for premises. The operator of such a sale must keep accurate records of the sale transactions and make them available to the Livestock Commissioner; any operator failing to do this is liable to a fine. The Lieutenant-Governor in Council may make regulations concerning the issuance of licenses, disease control or any other matter necessary to effectively carry out the Act.

3. LAND POLICY

- (a) Development, conservation, drainage and irrigation.

O N T A R I O

PUBLIC LANDS ACT, amendment, S.O. 1959, ch. 81.

See also 1955 bulletin p.17; 1957 supplement p.53; 1957-58 supplement p.70.

The Lieutenant-Governor in Council may make regulations prohibiting or regulating and controlling the sale of public lands to actual settlers for agricultural purposes and fixing the prices and terms and conditions of sale and of settlement. The contracts for land sold or leased under this Act may contain conditions outlining the manner of land use. Failure to comply to these conditions may cause forfeiture of the land unless the Minister releases the land from these conditions.

4. FINANCE

- (a) Farm Credit

Q U E B E C

QUEBEC FARM CREDIT ACT, amendments, S.Q. 1958-59, ch. 4.

See 1955 bulletin p.24; 1956-57 supplement, p.56; 1957-58 supplement p.71.

An amendment provides the Quebec Farm Credit Bureau with an additional sum of \$15 million for loans to farmers thus increasing to \$185 million the amount available from the consolidated revenue fund for this purpose. A further amendment increases from \$8,000 to \$9,000 the maximum amount of a loan available to one farmer.

AN ACT TO FURTHER FACILITATE THE SETTLEMENT OF FARMERS' SONS ON FARMS,
S.Q. 1958-59, ch.5.

This Act authorizes the Lieutenant-Governor in Council to appropriate out of the consolidated revenue fund, a sum of \$10 million to further facilitate the settlement of farmers' sons on farms. Any farmer's son who wishes to establish himself on a farm in the province and fulfills the conditions necessary for such establishment, may obtain a grant of \$1,000 payable in five annual equal and consecutive instalments. This grant shall be inalienable and unseizable.

5. MARKETING

(a) General

Q U E B E C

QUEBEC AGRICULTURAL MARKETING ACT, amendment, S.Q. 1958-59, ch. 17.
See also 1956-57 supplement p.57; 1957-58 supplement p.72.

Section 27 of the Act is amended by adding after the last line the words "including, but without restricting the scope of the foregoing, the power to acquire, alienate and hypothecate immovables and to contract loans for the purposes of carrying out the Act. However any loan, except for administrative purposes or current business and any constituted mortgage subsequent to February 1, 1959 must be authorized by the Lieutenant-Governor in Council on the recommendation of the provincial board".

O N T A R I O

FARM PRODUCTS MARKETING ACT, amendments, S.O. 1959, ch.35.
See also 1955 bulletin p.28; 1956-1957 supplement p.58;
1957-58 supplement, p.72.

Subsection 4 of section 4 of the act is repealed and in its place is a clause permitting the Marketing Board to submit or resubmit the question of favor of an existing plan to a plebiscite of the producers of the regulated product. At the time of submission of such a plebiscite, the Board may also submit any question relating to the marketing of any farm product. No plebiscite shall be declared invalid by reason of irregularity in the proceedings if it appears that such irregularity did not affect the result of the plebiscite. Any irregularity in the preparation or revision of the voters' list for a plebiscite shall not be a ground for questioning the validity of the plebiscite and the persons whose names appear on the final revision of the voters' list shall be deemed to be the producers entitled to vote in the plebiscite. Provision for a

recount of the ballots and for the resubmission of the same question or questions to a plebiscite may be made by the Board. The voting documents shall be retained by the Board for at least one year after a plebiscite.

A clause has been added requiring that in exercising the powers of any local board the members thereof shall be shareholders and directors of that board. Subsection 1 of section 6 is amended by adding a clause requiring any person who receives a regulated product from a producer, to deduct from the moneys payable to the producer any license fees, levies, or charges payable by the producer to the local board or marketing agency. Subsection 2 of section 6 is repealed and the substitute clause provides that any agreement or award under the Act shall be filed with the Board which may declare the agreement or award or part thereof to come into force on a designated day and remain in force for one year unless otherwise stated in the agreement. Upon an order of the Board the agreement or award may be re-negotiated in part or whole.

A section has been added to the Act providing that where the Board delegates any of its powers to a local board or vests in a marketing agency powers to promote, regulate and control the marketing of a regulated product, the Board may, at any time limit the powers of the local board or marketing agency and revoke any regulation, order or direction of the local board or marketing agency made under such powers. Section 10 of the Act as enacted by section 5 of the 1957 Amendment Act, is repealed and substituted by a section providing for a fine of not more than \$50 on first offence and of not less than \$50 and not more than \$500 on second offence to any person who fails to comply with or contravenes any of the provisions of the Act, the regulations of the Board, any local board or marketing agency. Various plans are declared valid and binding and deemed to have been established under the Act. These are listed in this amendment.

(c) Livestock and livestock products

O N T A R I O

THE MILK INDUSTRY ACT, 1957, amendment, S.O. 1959, ch.59.

See also 1957 supplement, p.60; 1957-58 supplement, p.74.

Section 6 of the Act is repealed and a section substituted which provides that where the Board receives from any group of producers in Ontario, a petition or request for the establishment of a plan for regulating or controlling the marketing of milk or milk products, and where 15 per cent of the producers are represented, the Board shall investigate the plan and any related matters. If the Board is of the opinion that such a proposed plan will be conducive to more efficient production and marketing of the named product, it may submit the question of favor of the plan to a plebiscite of the producers. If a petition representing 15 per cent of the producers is received by the Board requesting that the plan be revoked, a plebiscite on this issue may be

submitted to the producers provided that such a plebiscite has not been held within the preceding two years. Any amendments to existing plans received by the Board from a local board may be submitted to a plebiscite. The Board may make regulations governing plebiscites as it deems proper. At the time of submission of a plebiscite, the Board may also submit any question relating to the marketing of milk or milk products. No plebiscite shall be declared invalid by reason of irregularity in the proceedings if it appears that such irregularity did not influence the result of the plebiscite. Irregularity in the voters' list shall not invalidate a plebiscite. The Lieutenant-Governor in Council may make regulations respecting plans and local boards. Subsection 1 of section 7 is repealed and a section added requiring any person who receives a regulated product from a producer to deduct from the money payable to the producer any license fees, levies, or charges payable by the producer to the local board or marketing agency. Subsection 2 of section 7 is repealed and the substitute clause provides that any agreement or award under the Act shall be filed with the Board which may declare the agreement or award or part thereof to come into force on a designated day and remain in force for one year unless otherwise stated in the agreement. Upon an order of the Board the agreement or award may be re-negotiated in part or whole.

A section has been added to the Act providing that where the Board delegates any of its powers to a local board or vests in a marketing agency powers to promote, regulate and control the marketing of a regulated product, the Board may, at any time limit the powers of the local board or marketing agency and revoke any regulation, order or direction of the local board or marketing agency made under such powers.

Section 22 is amended by adding a subsection which permits the bargaining representatives of the producers and transporters to seek arbitration after bargaining has proceeded for 14 days or sooner if agreement cannot be reached. The board of arbitration shall consist of three members, one appointed by each side and one appointed by these two members. Where the two members fail to agree on a third member within ten days, the Board shall appoint the third member.

The plans which are declared valid and binding under this Act are listed in this amendment.

(d) Fruits, vegetables, honey and tobacco

O N T A R I O

FARM PRODUCTS GRADES AND SALES ACT, amendment, S.O. 1959, ch.34.

See also 1955 bulletin p.36.

A new clause provides for the issuance of licenses to persons engaged in the marketing or storing of farm products and for the operation of markets for farm products and for the renewal, refusal,

suspension and revocation of such licenses. It also prohibited persons from engaging in the marketing or storing of farm products and from operating markets for farm products without a license.

6. AGRICULTURAL SOCIETIES AND EDUCATION

Q U E B E C

"AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A SCHOOL OF AGRICULTURE AT OKA",
S.Q. 1958-59, ch. 15.

This Act authorizes the Lieutenant-Governor in Council to construct, equip and furnish buildings for the school of agriculture at Oka.

O N T A R I O

AGRICULTURAL SOCIETIES ACT, amendment, S.O. 1959, ch. 2.

See also 1955 bulletin, p.40; 1957 bulletin, p.62.

An increase in annual grants is provided for to a maximum of \$1,500 from the former \$1,000 for each society under the Act.

MUNICIPAL ACT, amendment, S.O. 1959, ch.62.

See also 1955 bulletin, pp.30, 41; 1957 supplement p.62;
1957-1958 supplement, p.74.

Section 405 (4b) of this Act authorizes that the annual dues of members of any farm organization may be entered in the tax collector's roll and collected in the same manner as taxes. This applies only where the annual dues for all members are uniform. Such dues shall not form a charge upon land or be subject to a penalty for non-payment.

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